

MINUTES

NATURAL RESOURCES COMMISSION

December 4-5, 2003

Radisson Hotel of Lansing
111 N. Grand Avenue
Lansing
-and-
Stevens T. Mason Building
530 W. Allegan
Lansing

PRESENT FOR THE COMMISSION

Jim Campbell
Keith Charters, Chairman
Paul Eisele, Vice Chairman
Bob Garner
John Madigan
Frank Wheatlake

Absent

Commissioner Bill Parfet

PRESENT FOR STAFF

K. L. Cool, Director
A. Michael Leffler, Legal Counsel
George Burgoyne, Resource Management Deputy
Jim Ekdahl, Upper Peninsula Field Deputy
Department Staff

COMMITTEE OF THE WHOLE

Chairman Charters called the Committee of the Whole meeting of the Natural Resources Commission (NRC) to order at 3:00 p.m. on Thursday, December 4, 2003. The Committee of the Whole is a working session of the NRC.

Learn from the Past, Appreciate the Present, and Preserve our Outdoor Heritage (LAPs) Presentation

Douglas Finley, Education and Outreach Chief, presented a status update on the LAPs program since its inception approximately four years ago. This update was the same as Director Cool presented recently at the U.S. Department of Interior Conference on Partners in Stewardship. Director Cool also presented this during a Governor's Cabinet Council meeting.

Mr. Finley reported that today's children are becoming increasingly disconnected with our natural resources and natural resources heritage. There is a declining population of kids who hunt and fish. As a result, the DNR believes programs such as the LAPs program should be extended beyond the 4th grade classes. He did say, however, that the LAPs program is reaching three out of four 4th grade students.

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There are six key elements of the LAPs program: 1) it is created by teachers for teachers; 2) it supports State and national required curriculum; 3) it teaches skills and strategies students need to be more successful on State and national proficiency tests; 4) it is fun to teach and it is fun to learn; and 6) it's free. The ongoing cost to the DNR for this program is \$5.83 per child, per year. Michigan has received solicitations from other states relative to the LAPs program.

Chairman Charters commended **Earl Wolf** and **Doug Finley** for the presentation and stated that we should be proud to be citizens of Michigan.

Mr. Finley said that some schools, especially in southeast Michigan, have set specific curriculum that do not allow inclusion of the LAPs program. Others, on the other hand, make LAPs a requirement. Staff is working on LAPs becoming more effective in the urban areas.

Newly Hired Wildlife Biologists

Commissioner Garner introduced the following newly hired biologists in Wildlife Division:

Mark Boersen, Roscommon
Adam Bump, Bay City Operation Center
Steven Chadwick, Crane Pond State Game Area
Dr. Shelli Dubay, Waterloo Wildlife Office
Dr. Christine Hanaburgh, Barry State Game Area

Preliminary 2003 Deer Harvest Estimates

Dr. Bill Moritz, Assistant Chief, Wildlife Division, announced the preliminary estimates of the 2003 Michigan firearm deer season harvest. The early estimate indicates approximately 277,000 deer were taken, of which 57 percent were antlered and 43 percent were antlerless. The final harvest figures will be available in July 2004 and will be based on a mail survey of approximately 50,000 of this year's hunters. The 2003 preliminary estimate is slightly below the 2002 estimated harvest of 299,000, calculated from the 2002 mail survey. The state's record firearm season harvest occurred in 1998, when an estimated 351,000 deer were taken. The DNR has modified the regulations for obtaining an antlerless license and established special "antlerless-only" seasons since 1996, to encourage hunters to take antlerless deer, in an effort to reduce the statewide deer herd. The record harvests in 1998, 1999, and 2000 reflect the success of this strategy, and the deer reductions have resulted in fewer antlerless licenses available in some areas this year, contributing to the reduced harvest.

Law Enforcement Report

Curt Bacon, Acting Law Enforcement Division Chief, presented an update on the illegal transportation of captive cervid case. Five deer and elk were illegally transported into Michigan from Ohio. The local police contacted the DNR and the Department of Agriculture. They were escorted back into Ohio. This issue is under the jurisdiction of the Department of Agriculture and has been turned over to them.

Captain Bacon reported that this hunting season was the third safest in history. There was one fatality and 16 nonfatal accidents. Overall, he said, it was a good season.

Captain Bacon reported that 470 baiting complaints were received; and 544 baiting violation tickets were issued. This is up a small amount from last hunting season. He said there was poor overall compliance with the baiting regulations. He also noted that noncompliance in DMU 452 is rising.

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The Committee of the Whole meeting adjourned at 4:15 p.m.

REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

Chairman Charters called the regular meeting of the Natural Resources Commission (NRC) to order at 4:30 p.m.

PUBLIC APPEARANCES

Charles Baran, City of New Buffalo
Don Hughes
Russ Reister
Perry Russo, Quality Deer Management Association
Ron Spaulding, United Sportsman Alliance
Ed Spinazzola, Quality Deer Management Association
Sam Washington, MUCC

Perry Russo, North Central Region Quality Deer Management Association, extended an invitation to each Commissioner to attend their annual Quality Deer Management convention at the Amway Grand Hotel in Grand Rapids in summer 2004.

Charles Baran, City of New Buffalo, requested assistance from the NRC to resolve the issue of waterfowl hunting in New Buffalo Harbor. **George Burgoyne, Resource Management Deputy**, noted that Law Enforcement Division is in the process of coordinating hunting law enforcement in this area. **Commissioner Garner** recommended the signs that exist in the area that say the "DNR Allows Hunting" in the harbor should state that "State law" allows hunting.

Russ Reister said it would be disastrous if the Asian carp entered Michigan waters. It currently exists in the Illinois River.

Don Hughes supports keeping the Island Lake Shooting Range open for public use. He believes that the range is operated well within the guidelines set for ranges. He presented a petition signed by over 1900 individuals also in support of the range.

Ed Spinazzola, Mid Michigan Branch, QDMA, requested that the DNR review and evaluate the existing harvest data for DMU 118 and also requested that the "three points on one side rule" remain in effect for two more years.

Sam Washington, MUCC, reiterated the importance of keeping the Island Lake Shooting Range open. He said that the range was originally built in accordance with township guidelines and was approved by the township. He said that this range is widely used and is important in that area of the state.

Ron Spaulding, United Sportsman Alliance, does not support mandatory quality deer management (QDM). He appreciates that the DNR and Commission have compromised in the regulations and not imposed QDM.

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The Natural Resources Commission meeting adjourned at 5:20 p.m. on Thursday, December 4, 2003 and reconvened at 8:30 a.m. on Friday, December 5, 2003.

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Review of 2003 Natural Resources Commission Goals

1. **Develop a Comprehensive Land Use Strategy for all DNR Land Holdings**

Issue: The Natural Resources Commission (NRC) and the Michigan Department of Natural Resources (DNR) are committed to the conservation, protection, management, use and enjoyment of the State's natural resources for current and future generations. As with any asset, the DNR-controlled lands must be managed to ensure that they can provide enduring optimum benefits to the citizens and visitors to the State of Michigan. Shifting demographics, budget constraints and changing recreational preferences necessitate the development of a new all-encompassing strategy for land ownership and land use. This effort must be developed with input from staff, constituents, land use professionals and elected officials.

Leadership: The NRC Policy Committee on Land Management, chaired by Commissioner Dr. Paul Eisele, with Commissioners Frank Wheatlake and John Madigan. DNR Staff: George Burgoyne, Resource Management Deputy.

Annual Review: *Commissioner Eisele said development of a Comprehensive Land Use Strategy for all DNR Landholdings is well underway. A plan/strategy for reviewing state lands and identifying boundaries for parks, forests, wildlife and recreation areas has been accomplished. The process should be completed in approximately one year. This has been developed during the NRC Policy Committee on Land Management meetings.*

Recommendation: *This process should remain a high priority and the Committee continue and complete the development of the plan.*

2. **Develop Plans to Minimize the Impacts of Budget Constraints on Existing DNR Programs**

Issues: With the current State of Michigan budgetary problems, it is very apparent this will have a tremendous impact on existing DNR programs. The NRC recognizes the DNR must be part of the State budgetary solution. Therefore, the NRC must review all programs and expenditures to assure the DNR continues to manage for the best of our natural resources.

- **Investments:** The NRC will work with the DNR and the Constituency to recommend to the Department of Treasury, an investment strategy for our trust funds in order to ensure an appropriate return on investments. The NRC will oversee all investment policies and practices for DNR managed Trust Funds through an annual review and comment.
- **PILT:** The NRC and DNR will work with the Governor's Office and the Legislature to develop a solution to the "tax payment" problem. The NRC will provide support for any Legislative changes necessary and will work to garner constituent support for those changes.
- **Self-Sufficiency:** In conjunction with the DNR, the NRC will review the DNR's budget to determine the appropriate level of State General Fund (GF/GP) support for DNR programs. The NRC will work with the DNR to replace (GF/GP) funding where appropriate and identify funding sources other than (GF/GP) to support DNR programs at the appropriate level.

- **Budget:** The NRC will work with the DNR to review field operations support. The NRC will recommend an appropriate level of funding, staffing and number of field offices for consolidation by the DNR.
- **Fee Setting Authority:** Currently license fee authority vests with the State Legislature. In the last ten years, only two license fee increases have been enacted despite the desire of affected constituent groups to willingly accept increases for agreed upon benefits. We need to finalize authority through statute whereby the NRC oversees the fee setting process with the Legislature having final authority. The process would involve open hearings and negotiating the use of incremental fees, etc.

Leadership: NRC Policy Committee on Finance and Administration
Chaired by Commissioner William Parfet with Commissioners Frank Wheatlake and John Madigan. MDNR Staff: Kelli Sobel, Administrative Services Deputy.

Annual Review: *Commissioner Wheatlake reported that the federal audit issue was resolved; that the DNR's equity resulting from development of the investment strategy was good; not much closer on Payments-in-lieu-of-Taxes (PILT) issue; that staff and the NRC need to continue to keep progressing to achieve budget self-sufficiency; no progress on the fee-setting authority, however, it is necessary to keep working on the issue.*

Recommendation: *Need to review field office and staffing shifts from one year to the next.*

3. **Formulate a Strategic Plan to Better Communicate and Interact with the Governor's Office, Legislature and Constituents**

Issues: With the election of a new Governor, and a turnover of almost half the members of the Legislature, it is imperative the NRC reestablish a strong working relationship with the Governor's Office and the Legislature. The new Executive Branch staff and legislators must be educated on the DNR mission and existing programs. A solid plan of education, information and communication would maintain a continuing working partnership with the Legislature and Executive Branch. This effort must be bipartisan and based on what is best for the resource.

Leadership: Commissioner Frank Wheatlake with assistance from ALL Commissioners. MDNR Staff. Dennis Knapp, Legislative Liaison.

Recommendation: *Continue communicating with and educating Legislators. Commissioner Wheatlake believes that the NRC provides verification for DNR's programs.*

Carry this Goal over into 2004.

4. **Develop a Public Relations Plan to Enhance the DNR Image and Better Educate the Public and Constituents of DNR Programs and Assets**

Issues: The NRC and staff of the DNR are proud of their management of our resources and accomplishments. However, there continues to be misunderstandings and misconceptions of DNR management that often leads to mistrust by the general public. With the current State budget crisis and potential program cuts, it will be very important to

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develop a plan that focuses, prioritizes and improves the image of the DNR. The plan needs to generate support by staff and better utilize the Press. The NRC needs to better explain to the public what it is doing and why and then seek methods to gain strong support.

Leadership: Commissioner Bob Garner, with support of Commissioners Campbell, Charters, and Madigan. MDNR Staff: Brad Wurfel, Press Secretary and Jim Ekdahl, Upper Peninsula Field Deputy.

Recommendation: *Staff keep the NRC informed and involved in issues to maximize media attention. Contact Bradley Wurfel, DNR's Press Secretary.*

5. **Assist Other Stakeholders in Developing a Plan to Prevent the Occurrence of Chronic Wasting Disease (CWD) in Michigan**

Issue: CWD is emerging as a disease that has the potential to significantly impact both wild and privately owned cervids and cripple segments of the state's hunting, agriculture and tourism industries. Because of this threat, MDNR and MDA, with input from university researchers, the agriculture industry and outdoor and hunting organizations, have formed a strong partnership to review, develop, enhance and implement comprehensive CWD surveillance, testing and control actions. The MDA and MDNR activities to date have been presented to both the NRC and Commission of Agriculture with recommendations for further actions.

The NRC recognizes the Governor's appointment of a Task Force for CWD and defers leadership. The NRC will provide a representative to the Task Force, and continue to monitor and assist the Task Force.

Leadership: Commissioner Bob Garner supported by Commissioner Jim Campbell. MDNR Staff: Rebecca Humphries, Wildlife Division Chief.

Recommendation: *The Department of Agriculture is now the lead on this issue. Commissioner Garner recommended this remain a goal for the NRC Policy Committee on Wildlife Issues.*

Discussion of NRC Goals for 2004

Marketing: **Commissioner Wheatlake** noted that we need to market DNR programs for the long-term. He believes this should be top priority. **Chairman Charters** recommended that marketing of DNR programs be reviewed and that education should go beyond just the 4th grade students. **Commissioner Campbell** also believes that marketing needs to be reviewed.

Hunting and Hunter Safety: **Commissioner Garner** said that hunters were lost this year because they could not get through hunter safety. He believes the hunter safety program should be reevaluated, cutting the class time, stressing the hunter safety training, and get more hunters into the woods. He and Commissioner Wheatlake suggested recruitment of instructors needs to occur as well as how to expand the training program.

Commissioner Wheatlake and Chairman Charters agreed that programs need to be reviewed now for 20 years in the future. He does not want to lose sight of the overall mission.

Upper Peninsula (UP) Habitat: **Commissioner Madigan** recommended pursuing deer habitat in the UP.

Review of NRC Policy Committee Structures

Currently the NRC Policy Committee structures are as follows:

NRC Policy Committee on Land Management: Commissioner Eisele (chair), Commissioner Madigan. Commissioner Wheatlake (alternate)

NRC Policy Committee on Finance and Administration: Commissioner Parfet (chair), Commissioner Wheatlake. Commissioner Madigan (alternate)

NRC Policy Committee on Technology, Information, Marketing and Education (TIME): Commissioner Campbell (chair), Commissioner Garner

NRC Policy Committee on Wildlife Issues: Commissioner Garner (chair), Commissioner Campbell.

UP Habitat Task Force: Commissioner Madigan (chair), Commissioner Garner.

Chairman Charters noted that this is truly an active, working Commission whose members are engaged and involved.

Committee structures will be discussed further in January, 2004.

Appointment of a Director's Search Committee

Chairman Charters appointed himself, Commissioner Garner and Commissioner Wheatlake to the Director's Search Committee. This Committee will meet in early January to develop a timeline and develop interview criteria.

APPROVAL OF MINUTES – NOVEMBER 6, 2003 NATURAL RESOURCES COMMISSION MEETING

Commissioner Garner made a motion, supported by **Commissioner Eisele**, for approval. Motion unanimously carried.

ALLEGAN STATE GAME AREA MANAGED HUNTING PROCEDURES CHANGES

This item was withdrawn from action due to adverse comments received.

DIRECTOR'S ACTION ITEMS

Resource Management Deputy George Burgoyne stated that he intends to sign all Director's Action Items on the agenda. **Mr. Burgoyne** is signing on behalf of **Director K. L. Cool**.

POLICY COMMITTEE REPORTS

NRC Policy Committee on Land Management

Commissioner Eisele, Committee Chair, reported that the Committee met on November 25, 2003 at 9:30 a.m. in Lansing. **Commissioner Eisele** was present for the Committee and Commissioner Campbell and NRC Chairman Charters were also present. The

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Committee reviewed forestry properties. **Commissioner Eisele** stated that staff did an excellent job in pulling together the information for that meeting.

Commissioner Eisele reported that he, Commissioner Wheatlake, and Chairman Charters appeared before the Senate Subcommittee on Appropriations on December 4, 2003 to discuss the lands review process currently being accomplished by the NRC Policy Committee on Land Management.

NRC Policy Committee on Wildlife Issues

Commissioner Garner, Committee Chair, reported that the Committee met on December 4, 2003 at 1:00 p.m. in Lansing. Agenda items discussed: Proposed Calendar of Wildlife Issues for 2004; CWD Update; Introduction of new Wildlife Division biologists. **Commissioner Garner** was pleased to report that CWD has not been detected in Michigan. It was also reported that one bovine tuberculosis deer was detected in Roscommon County. He congratulated the new wildlife biologists in Wildlife Division.

COMMISSIONER REPORTS

Commissioner Garner received letters and phone calls regarding DNR matters and did a great deal of hunting during the past month.

Commissioner Wheatlake received letters and phone calls regarding DNR matters and did a great deal of hunting during the past month.

Commissioner Eisele assisted staff at the Birch Run Deer Check Station; stopped into the Gwinn Field Office while traveling in the UP; and received phone calls and letters related to the DNR.

Commissioner Madigan thanked Craig Albright and Terry Minzey, Upper Peninsula wildlife biologists, for attending the December 4 meeting in Lansing with staff to discuss UP deer issues; he received several phone calls and letters regarding DNR issues; has heard both positive and negative comments on the grouse season; and stated that the deer hunting season in the UP was better than last year although his personal camp had a good year.

Commissioner Campbell received positive deer hunting comments.

Legislative Report

Dennis Knapp, Legislative Liaison, presented an update on DNR related Legislative activities.

Chairman Charters wished Commissioners and staff a Happy Holiday Season.

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The meeting adjourned at 10:15 a.m.